

Aliens 2

OGC HAS
REVIEWED.

10 August 1955

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MEMORANDUM FOR: [REDACTED]

SUBJECT: Defector Kidnapings

*CAA Regulations Regarding
Weapons on Airplanes*

1. We have done quite a bit of thinking from time to time on what can legally be done in the matter of defectors who want to redefect or who may be compelled by force to redefect. Generally experience has shown that we need not expect any assistance from the FBI, except perhaps in the case of a real kidnaping of a defector by unfriendly types. Immigration has shown a willingness to exercise its powers of arrest where there is an indication that the individual or individuals involved are held illegally. The Services can occasionally take some action, but, normally aside from Immigration warrants, detention action is at the risk of the detainer. Habeas corpus and false arrest are obvious problems.

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2. The Director was interested in a related problem which arose when the [REDACTED] chief of internal security was here recently and was talking about the [REDACTED] case. When [REDACTED] defected his wife was taken to a commercial airline by two armed Russians and later after considerable to-do indicated her desire to leave and was taken into protective custody. An incidental fact which came out was that the Russians were disarmed upon re-entering the plane at a stop, and the legal basis was an [REDACTED] law forbidding anyone to carry loaded weapons into pressurized cabins. The Director speculated on whether there might be any similar laws in this country which would be a basis for some legal action under similar circumstances. I supposed some state laws, such as the Sullivan Act in New York, might apply generally, but you might see if you can get any information from CAA or elsewhere regarding weapons on airplanes.

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L.R.H.
L. R. Houston